

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Serial No.: 09/937,460 Filing Date: December 28, 2001
Examiner: Shawn S. An Group Art Unit: 2613
Invention: "Device and Method for Selecting and Recording an Image"

Transmitted herewith is an Amendment in the above-identified application.

Small Entity Status is/has been asserted for this application under 37 CFR 1.27.
 A verified statement to establish small entity status under 37 CFR 1.27 is enclosed.
☒ No additional fee is required.
 The fee has been calculated as shown below:

No of Claims After <u>Amendment</u>	Highest No. Previously <u>Paid For</u>	Present <u>Extra</u>	Small Entity <u>Rate</u>	Non-Small Entity <u>Rate</u>	<u>Charge</u>
Total <u>21</u>	<u>21</u>	<u>0</u>	x \$ 25.00	x \$ 50.00	\$ -0-
Indep. <u>2</u>	<u>3</u>	<u>0</u>	x \$100.00	x \$200.00	\$ -0-
First Presentation of Multiple Dependent Claim/s			+ \$180.00	+ \$360.00	\$ -0-
TOTAL ADDITIONAL FEE					\$ -0-

 X A check in the amount of \$790.00 is enclosed to cover the RCE filing fee.

 A check in the amount of \$ is enclosed for a month Petition for Extension of Time.

 X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication to Deposit Account No. 23-0650. Please refund any overpayment to Deposit Account No. 23-0650. An original and two copies of this sheet are enclosed.

 X Any additional filing fees required under 37 CFR 1.16.

 X Any patent application processing fees under 37 CFR 1.17.

Date _____

By

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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 14, 2005.

(Typed name of person mailing paper)

9/14/05
Date



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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/937,460
Filing Date	December 28, 2001
First Named Inventor	Pieter Tjerk KOOPMAN
Art Unit	2613
Examiner Name	Shawn S. An
Attorney Docket Number	3135-011614

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. ☒ **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 23-0650. I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$790.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

09/19/2005 MBIZUNES 00000015 09937460

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790.00 0P

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	September 14, 2005
Name (Print / Type)	John W. McIlvaine	Registration No.	34,219

CERTIFICATE OF MAILING OR TRANSMISSION

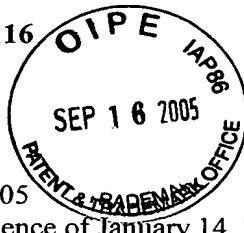
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	
Name (Print / Type)	Pauline J. Moyles
Date	September 14, 2005

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Response Under 37 CFR § 1.116
Expedited Procedure
Examining Group No. 2613



Application No. 09/937,460
Paper Dated: September 14, 2005
In Reply to USPTO Correspondence of January 14, 2005
Attorney Docket No. 3135-011614

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/937,460
Confirmation No. : 9480
Applicant : **Pieter Tjerk KOOPMAN**
Filed : December 28, 2001
Title: : **DEVICE AND METHOD FOR SELECTING
AND RECORDING AN IMAGE**
Group Art Unit : 2613
Examiner : Shawn S. An
Customer No. : 28289

AMENDMENT ACCOMPANYING RCE

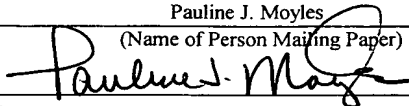
MAIL STOP RCE
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to the Notice of Appeal filed July 14, 2005 and in response to the Final Office Action dated January 14, 2005, Applicant submits the following amendments and remarks, together with an RCE.

Amendments to the **claims** begin on page 2 of this document.

Remarks begin on page 5 of this document.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 14, 2005.	
Pauline J. Moyles (Name of Person Mailing Paper)	
	9/14/2005
Signature	Date